**S.B.CRIMINAL MISC. BAIL APPLICATION NO.4286/2007**

**(Nanda Das & Anr. vs. State of Rajasthan)**

DATE OF ORDER : September 05, 2007

**HON'BLE MR.H.R.PANWAR,J.**

Mr.Ramesh Purohit, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioners that no recovery has been effected from the petitioners, they have been implicated only being the registered owners of the vehicle Jeep No.RJ-06-T.A. 0152, which was found transporting two cartons each contained 48 quarters of illicit liquor; the said jeep was taken on hire by the driver and it was the driver, from whom the recovery of illicit liquor has been effected.

Having regard to the facts and circumstances of the case, I think it just and proper to grant anticipatory bail to the petitioners.

Accordingly, the bail application filed by the petitioners

under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Nanda Das s/o Mangu Das and Annu D/o Nanda Das in FIR No.474/2007, P.S. Pratap Nagar, Bhilwara shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-